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Attorneys for Defendants
 SIEMENS MEDICAL SOLUTIONS USA, INC.
 and SIEMENS AKTIENGESELLSCHAFT

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

NEUROGRAFIX, a California corporation;
 WASHINGTON RESEARCH
 FOUNDATION, a not-for-profit Washington
 corporation,

Plaintiffs,

vs.

SIEMENS MEDICAL SOLUTIONS USA,
 INC., a Delaware corporation; and
 SIEMENS AKTIENGESELLSCHAFT, a
 German corporation,

Defendants.

CASE NO. CV 10-1990 MRP(RZX)
**SIEMENS' NOTICE OF MOTION
 AND MOTION FOR PARTIAL
 SUMMARY JUDGMENT OF
 INVALIDITY REGARDING
 CLAIMS 3-5, 36, 37, 39-44, 46, 47,
 49, 50, 55, 56, 58, 59, 61, AND 62
 IN U.S. PATENT NO. 5,560,360 IN
 LIGHT OF CLAIM
 CONSTRUCTION ORDER**

**The Hon. Mariana R. Pfaelzer
 United States District Court Judge**

**Hearing Date: TBD
 Time: TBD
 Location: Courtroom 12**

1
2 SIEMENS MEDICAL SOLUTIONS USA,
INC.

3 Counterclaim Plaintiff,

4 vs.

5 NEUROGRAFIX, and WASHINGTON
6 RESEARCH FOUNDATION,

7 Counterclaim Defendants.

8
9 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

10 PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil
11 Procedure 56(c), Defendant and Counterclaim Plaintiff Siemens Medical Solutions
12 USA, Inc. and Defendant Siemens Aktiengesellschaft ("Siemens"), hereby move for
13 partial summary judgment of invalidity regarding claims 3-5, 36, 37, 39-44, 46, 47,
14 49, 50, 55, 56, 58, 59, 61, and 62 in U.S. Patent No. 5,560,360 in light of the Court's
15 claim construction order.
16

17
18 This motion is made in accordance with the Court's June 10, 2011 order
19 (D.I. 118) and following the conference of counsel pursuant to Local Rule 7-3, which
20 took place in live telephonic conference on June 1, 2011 and in email and telephonic
21 conference leading up to that date.
22

23
24 PLEASE TAKE FURTHER NOTICE that Siemens' motion is based on
25 this Notice of Motion, the Memorandum of Points and Authorities, Siemens'
26 Statement of Uncontroverted Facts and Conclusions of Law, and the supporting
27 Declaration of Sean M. McEldowney and exhibits filed herewith.
28

Respectfully submitted,

DATED: July 15, 2011

By: /s/ Sean M. McEldowney
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Attorneys for Defendants
SIEMENS MEDICAL SOLUTIONS USA, INC.
and SIEMENS AKTIENGESELLSCHAFT

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2011, a copy of the foregoing SIEMENS' NOTICE OF MOTION AND MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY REGARDING CLAIMS 3-5, 36, 37, 39-44, 46, 47, 49, 50, 55, 56, 58, 59, 61, AND 62 IN U.S. PATENT NO. 5,560,360 IN LIGHT OF CLAIM CONSTRUCTION ORDER was served upon counsel of record for Plaintiffs registered with the Court's CM/ECF system.

/s/Sean M. McEldowney